

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

UNITED STATES OF AMERICA )  
v. ) CASE NO. 2:21-cr-49-MHT-JTA  
WILLIAM LEE HOLLADAY, III )

## **ORDER**

On March 30, 2020, Chief United States District Judge Emily C. Marks entered a General Order finding, pursuant to § 15002(b)(2) of the Coronavirus Aid, Relief, and Economic Security Act, H.R. 748 (the CARES Act), that “felony pleas cannot be conducted in person and in court without serious jeopardy to public health and safety.” General Order, *In Re: Criminal Proceedings by Video or Audio Conference*, Civ. Misc. No. 2:20-mc-3910-ECM (M.D. Ala. Mar. 30, 2020), Doc. No. 4.<sup>1</sup> Consequently, “if judges in individual cases find, for specific reasons, that felony pleas . . . in those cases cannot be further delayed without serious harm to the interests of justice, judges may, with the consent of the defendant . . . after consultation with counsel, conduct those proceedings by video conference.” *Id.* at 1-2.

This case is set for a change of plea hearing by video teleconference on **December 16, 2021** at **9:00 a.m.** Through counsel, if, after consultation with his attorney, the defendant desires to proceed with the hearing by video teleconference, he must provide written notice to the court of the same. If defendant declines to proceed with the change

<sup>1</sup> On December 7, 2021, Chief Judge Marks entered an order extending this General Order for an additional ninety days. Civ. Misc. No. 2:20-mc-3910-ECM, Doc. No. 20.

of plea hearing by video teleconference, and desires the court take his guilty plea with his present in person, the court will delay the hearing until such time the hearing can be held safely with the defendant present in person and in court. Accordingly, it is hereby

ORDERED that on or before **December 13, 2021 at noon**, the defendant shall file the following:

1. A written notice stating whether he desires to proceed with the consent plea hearing by video teleconference. If the defendant desires to proceed by video teleconference, the written notice must state (a) his consent to the plea hearing proceeding by video teleconference and (b) a reason that the plea hearing cannot be delayed without serious harm to the interests of justice.
2. A consent form signed by the defendant and his counsel stating the defendant consents to have a United States Magistrate Judge conduct the plea proceeding.

DONE this 9th day of December, 2021.

  
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JERUSHA T. ADAMS  
UNITED STATES MAGISTRATE JUDGE